

Moore

thousands and thousands are approaching from every quarter to render resistance and escape alike hopeless. . . . Will you, then, by resistance compel us to resort to arms . . . or will you by flight seek to hide yourselves in mountains and forests and thus oblige us to hunt you down?"—reminding them that pursuit might result in conflict and bloodshed, ending in a general war.¹

Even after this Ross endeavored, on behalf of his people, to secure some slight modification of the terms of the treaty, but without avail.²

THE REMOVAL—1838-39

The history of this Cherokee removal of 1838, as gleaned by the author from the lips of actors in the tragedy, may well exceed in weight of grief and pathos any other passage in American history. Even the much-sung exile of the Acadians falls far behind it in its sum of death and misery. Under Scott's orders the troops were disposed at various points throughout the Cherokee country, where stockade forts were erected for gathering in and holding the Indians preparatory to removal (43). From these, squads of troops were sent to search out with rifle and bayonet every small cabin hidden away in the coves or by the sides of mountain streams, to seize and bring in as prisoners all the occupants, however or wherever they might be found. Families at dinner were startled by the sudden gleam of bayonets in the doorway and rose up to be driven with blows and oaths along the weary miles of trail that led to the stockade. Men were seized in their fields or going along the road, women were taken from their wheels and children from their play. In many cases, on turning for one last look as they crossed the ridge, they saw their homes in flames, fired by the lawless rabble that followed on the heels of the soldiers to loot and pillage. So keen were these outlaws on the scent that in some instances they were driving off the cattle and other stock of the Indians almost before the soldiers had fairly started their owners in the other direction. Systematic hunts were made by the same men for Indian graves, to rob them of the silver pendants and other valuables deposited with the dead. A Georgia volunteer, afterward a colonel in the Confederate service, said: "I fought through the civil war and have seen men shot to pieces and slaughtered by thousands, but the Cherokee removal was the cruelest work I ever knew."³

To prevent escape the soldiers had been ordered to approach and surround each house, so far as possible, so as to come upon the occupants without warning. One old patriarch, when thus surprised, calmly called his children and grandchildren around him, and, kneeling down, bid them pray with him in their own language, while the astonished soldiers looked on in silence. Then rising he led the way into

¹ Royce, Cherokee Nation, op. cit., p. 291,

² Ibid, p. 291.

exile. A woman, on finding the house surrounded, went to the door and called up the chickens to be fed for the last time, after which, taking her infant on her back and her two other children by the hand, she followed her husband with the soldiers.

All were not thus submissive. One old man named Tsali, "Charley," was seized with his wife, his brother, his three sons and their families. Exasperated at the brutality accorded his wife, who, being unable to travel fast, was prodded with bayonets to hasten her steps, he urged the other men to join with him in a dash for liberty. As he spoke in Cherokee the soldiers, although they heard, understood nothing until each warrior suddenly sprang upon the one nearest and endeavored to wrench his gun from him. The attack was so sudden and unexpected that one soldier was killed and the rest fled, while the Indians escaped to the mountains. Hundreds of others, some of them from the various stockades, managed also to escape to the mountains from time to time, where those who did not die of starvation subsisted on roots and wild berries until the hunt was over. Finding it impracticable to secure these fugitives, General Scott finally tendered them a proposition, through (Colonel) W. H. Thomas, their most trusted friend, that if they would surrender Charley and his party for punishment, the rest would be allowed to remain until their case could be adjusted by the government. On hearing of the proposition, Charley voluntarily came in with his sons, offering himself as a sacrifice for his people. By command of General Scott, Charley, his brother, and the two elder sons were shot near the mouth of Tuckasegee, a detachment of Cherokee prisoners being compelled to do the shooting in order to impress upon the Indians the fact of their utter helplessness. From those fugitives thus permitted to remain originated the present eastern band of Cherokee.¹

When nearly seventeen thousand Cherokee had thus been gathered into the various stockades the work of removal began. Early in June several parties, aggregating about five thousand persons, were brought down by the troops to the old agency, on Hiwassee, at the present Calhoun, Tennessee, and to Ross's landing (now Chattanooga), and Gunter's landing (now Guntersville, Alabama), lower down on the Tennessee, where they were put upon steamers and transported down the Tennessee and Ohio to the farther side of the Mississippi, when the journey was continued by land to Indian Territory. This removal,

¹The notes on the Cherokee round-up and Removal are almost entirely from author's information as furnished by actors in the events, both Cherokee and white, among whom may be named the late Colonel W. H. Thomas; the late Colonel Z. A. Zile, of Atlanta, of the Georgia volunteers; the late James Bryson, of Dillsboro, North Carolina, also a volunteer; James D. Wafford, of the western Cherokee Nation, who commanded one of the emigrant detachments; and old Indians, both east and west, who remembered the Removal and had heard the story from their parents. Charley's story is a matter of common note among the East Cherokee, and was heard in full detail from Colonel Thomas and from Wasitona ("Washington"), Charley's youngest son, who alone was spared by General Scott on account of his youth. The incident is also noted, with some slight inaccuracies, in Lanman, *Letters from the Alleghany Mountains*. See p. 157.

in the hottest part of the year, was attended with so great sickness and mortality that, by resolution of the Cherokee national council, Ross and the other chiefs submitted to General Scott a proposition that the Cherokee be allowed to remove themselves in the fall, after the sickly season had ended. This was granted on condition that all should have started by the 20th of October, excepting the sick and aged who might not be able to move so rapidly. Accordingly, officers were appointed by the Cherokee council to take charge of the emigration; the Indians being organized into detachments averaging one thousand each, with two leaders in charge of each detachment, and a sufficient number of wagons and horses for the purpose. In this way the remainder, enrolled at about 13,000 (including negro slaves), started on the long march overland late in the fall (44).

Those who thus emigrated under the management of their own officers assembled at Rattlesnake springs, about two miles south of Hiwassee river, near the present Charleston, Tennessee, where a final council was held, in which it was decided to continue their old constitution and laws in their new home. Then, in October, 1838, the long procession of exiles was set in motion. A very few went by the river route; the rest, nearly all of the 13,000, went overland. Crossing to the north side of the Hiwassee at a ferry above Gunstocker creek, they proceeded down along the river, the sick, the old people, and the smaller children, with the blankets, cooking pots, and other belongings in wagons, the rest on foot or on horses. The number of wagons was 645.

It was like the march of an army, regiment after regiment, the wagons in the center, the officers along the line and the horsemen on the flanks and at the rear. Tennessee river was crossed at Tuckers (?) ferry, a short distance above Jollys island, at the mouth of Hiwassee. Thence the route lay south of Pikeville, through McMinville and on to Nashville, where the Cumberland was crossed. Then they went on to Hopkinsville, Kentucky, where the noted chief White-path, in charge of a detachment, sickened and died. His people buried him by the roadside, with a box over the grave and poles with streamers around it, that the others coming on behind might note the spot and remember him. Somewhere also along that march of death—for the exiles died by tens and twenties every day of the journey—the devoted wife of John Ross sank down, leaving him to go on with the bitter pain of bereavement added to heartbreak at the ruin of his nation. The Ohio was crossed at a ferry near the mouth of the Cumberland, and the army passed on through southern Illinois until the great Mississippi was reached opposite Cape Girardeau, Missouri. It was now the middle of winter, with the river running full of ice, so that several detachments were obliged to wait some time on the eastern bank for the channel to become clear. In talking with old men

and women at Tahlequah the author found that the lapse of over half a century had not sufficed to wipe out the memory of the miseries of that halt beside the frozen river, with hundreds of sick and dying penned up in wagons or stretched upon the ground, with only a blanket overhead to keep out the January blast. The crossing was made at last in two divisions, at Cape Girardeau and at Green's ferry, a short distance below, whence the march was on through Missouri to Indian Territory, the later detachments making a northerly circuit by Springfield, because those who had gone before had killed off all the game along the direct route. At last their destination was reached. They had started in October, 1838, and it was now March, 1839, the journey having occupied nearly six months of the hardest part of the year.¹

It is difficult to arrive at any accurate statement of the number of Cherokee who died as the result of the Removal. According to the official figures those who removed under the direction of Ross lost over 1,600 on the journey.² The proportionate mortality among those previously removed under military supervision was probably greater, as it was their suffering that led to the proposition of the Cherokee national officers to take charge of the emigration. Hundreds died in the stockades and the waiting camps, chiefly by reason of the rations furnished, which were of flour and other provisions to which they were unaccustomed and which they did not know how to prepare properly. Hundreds of others died soon after their arrival in Indian territory, from sickness and exposure on the journey. Altogether it is asserted, probably with reason, that over 4,000 Cherokee died as the direct result of the removal.)

On their arrival in Indian Territory the emigrants at once set about building houses and planting crops, the government having agreed under the treaty to furnish them with rations for one year after arrival. They were welcomed by their kindred, the "Arkansas Cherokee"—hereafter to be known for distinction as the "Old Settlers"—who held the country under previous treaties in 1828 and 1833. These, however, being already regularly organized under a government and chiefs of their own, were by no means disposed to be swallowed by the governmental authority of the newcomers. Jealousies developed in which the minority or treaty party of the emigrants, headed by Ridge, took sides with the Old Settlers against the Ross or national party, which outnumbered both the others nearly three to one.

While these differences were at their height the Nation was thrown into a fever of excitement by the news that Major Ridge, his son John Ridge, and Elias Boudinot—all leaders of the treaty party—had been killed by adherents of the national party, immediately after the close

¹ Author's personal information, as before cited.

² As quoted in Royce, Cherokee Nation, Fifth Ann. Rep. Bureau of Ethnology, p. 292, 1888, the disbursing agent makes the number unaccounted for 1,428; the receiving agent, who took charge of them on their arrival, makes it 1,645.

of a general council, which had adjourned after nearly two weeks of debate without having been able to bring about harmonious action. Major Ridge was waylaid and shot close to the Arkansas line, his son was taken from bed and cut to pieces with hatchets, while Boudinot was treacherously killed at his home at Park Hill, Indian territory, all three being killed upon the same day, June 22, 1839.

The agent's report to the Secretary of War, two days later, says of the affair:

The murder of Boudinot was treacherous and cruel. He was assisting some workmen in building a new house. Three men called upon him and asked for medicine. He went off with them in the direction of Wooster's, the missionary, who keeps medicine, about three hundred yards from Boudinot's. When they got about half way two of the men seized Boudinot and the other stabbed him, after which the three cut him to pieces with their knives and tomahawks. This murder taking place within two miles of the residence of John Ross, his friends were apprehensive it might be charged to his connivance; and at this moment I am writing there are six hundred armed Cherokee around the dwelling of Ross, assembled for his protection. The murderers of the two Ridges and Boudinot are certainly of the late Cherokee emigrants, and, of course, adherents of Ross, but I can not yet believe that Ross has encouraged the outrage. He is a man of too much good sense to embroil his nation at this critical time; and besides, his character, since I have known him, which is now twenty-five years, has been pacific. . . . Boudinot's wife is a white woman, a native of New Jersey, as I understand. He has six children. The wife of John Ridge, jr., is a white woman, but from whence, or what family left, I am not informed. Boudinot was in moderate circumstances. The Ridges, both father and son, were rich. . . .¹

While all the evidence shows that Ross was in no way a party to the affair, there can be no question that the men were killed in accordance with the law of the Nation—three times formulated, and still in existence—which made it treason, punishable with death, to cede away lands except by act of the general council of the Nation. It was for violating a similar law among the Creeks that the chief, McIntosh, lost his life in 1825, and a party led by Major Ridge himself had killed Doublehead years before on suspicion of accepting a bribe for his part in a treaty.

On hearing of the death of the Ridges and Boudinot several other signers of the repudiated treaty, among whom were John Bell, Archilla Smith, and James Starr, fled for safety to the protection of the garrison at Fort Gibson. Boudinot's brother, Stand Watie, vowed vengeance against Ross, who was urged to flee, but refused, declaring his entire innocence. His friends rallied to his support, stationing a guard around his house until the first excitement had subsided. About three weeks afterward the national council passed decrees declaring that the men killed and their principal confederates

¹ Agent Stokes to Secretary of War, June 24, 1839, in Report Indian Commissioner, p. 355, 1839; Royce, Cherokee Nation, Fifth Ann. Rep. Bureau of Ethnology, p. 293, 1888; Drake, Indians, pp. 459-460, 1880; author's personal information. The agent's report incorrectly makes the killings occur on three different days.

had rendered themselves outlaws by their own conduct, extending amnesty on certain stringent conditions to their confederates, and declaring the slayers guiltless of murder and fully restored to the confidence and favor of the community. This was followed in August by another council decree declaring the New Echota treaty void and reasserting the title of the Cherokee to their old country, and three weeks later another decree summoned the signers of the treaty to appear and answer for their conduct under penalty of outlawry. At this point the United States interfered by threatening to arrest Ross as accessory to the killing of the Ridges.¹ In the meantime the national party and the Old Settlers had been coming together, and a few of the latter who had sided with the Ridge faction and endeavored to perpetuate a division in the Nation were denounced in a council of the Old Settlers, which declared that "in identifying themselves with those individuals known as the Ridge party, who by their conduct had rendered themselves odious to the Cherokee people, they have acted in opposition to the known sentiments and feelings of that portion of this Nation known as Old Settlers, frequently and variously and publicly expressed." The offending chiefs were at the same time deposed from all authority. Among the names of over two hundred signers attached that of "George Guess" (Sequoia) comes second as vice-president.²

On July 12, 1839, a general convention of the eastern and western Cherokee, held at the Illinois camp ground, Indian territory, passed an act of union, by which the two were declared "one body politic, under the style and title of the Cherokee Nation." On behalf of the eastern Cherokee the instrument bears the signature of John Ross, principal chief, George Lowrey, president of the council, and Going-snake (I'nadû-na't), speaker of the council, with thirteen others. For the western Cherokee it was signed by John Looney, acting principal chief, George Guess (Sequoia), president of the council, and fifteen others. On September 6, 1839, a convention composed chiefly of eastern Cherokee assembled at Tahlequah, Indian territory—then first officially adopted as the national capital—adopted a new constitution, which was accepted by a convention of the Old Settlers at Fort Gibson, Indian Territory, on June 26, 1840, an act which completed the reunion of the Nation.³

THE ARKANSAS BAND—1817-1838

Having followed the fortunes of the main body of the Nation to their final destination in the West, we now turn to review briefly

¹Royce, Cherokee Nation, op. cit., pp. 294, 295.

²Council resolutions, August 23, 1839, in Report Indian Commissioner, p. 387, 1839; Royce, op. cit., p. 294.

³See "Act of Union" and "Constitution" in Constitution and Laws of the Cherokee Nation, 1875; General Arbuckle's letter to the Secretary of War, June 28, 1840, in Report of Indian Commissioner, p. 46, 1840; also Royce, op. cit., pp. 294, 295.